IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14045 of 2004

Between:

The Contract Workers Union, Jyothi Chemicals, Industrial Area,Kadapa, rep by President, B. Dwarakanatha Rao

..... PETITIONER

AND

1.Jyothi Chemicals, Industrial Area, Ramanjaneyapuram Kadapa

rep. by Managing Director
2.The Recovery Officer, Debt Recovery Tribunal No.1 Scindia

House 5th Floor, Opp L&T House, Narottam Morarjee Marg,

Ballard Estate, Mumbai
3. The Presiding Officer, Labour Court, Anantapur
4.M/s. Trans Asia Overseas Trading Corporation, 11-4-658,

Mustafa Towers, Lakadikapool, Hyderabad, rep by Managing

Director

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not earmarking Rs.22,00,000/- towards the claims of the petitioner union workers while disposing the properties of 1st respondent company as their claims are still pending with the 3rd respondent, as illegal, unjust arbitrary, against Labour Laws and companies act and Article 14 of the

Constitution of India and consequently direct the respondents to reserve Rs.22,00,000/- towards the claims of the petitioner union workers and in alternative in case there is deficit of amount with the 2nd respondent the 1st and 4th respondents be directed to deposit with the 3rd respondent such of that amount which is in deficit for Rs.22,00,000/-.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR LABOUR

The Court at the admission stage made the following:

ORDER:

The petitioner – Contract Workers Union, approached this Court, with a request to direct the 2nd respondent to reserve Rs.22,00,000/- from out of the amounts realized by auction of the assets of the first respondent, for payment of the amounts towards the claims that were made before the 3rd respondent, pending adjudication of those claims.

Since, there is no order determining the rights of the Workers of the petitioner Union regarding their claim for certain amounts, the Writ Petition cannot be maintained. The petitioner Union is at liberty to approach the concerned authorities and make their representation regarding their claim pending before the 3rd respondent.

The Writ Petition is accordingly dismissed at the admission stage.

10th AUGUST 2004

BSS/SVS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Managing Director,Jyothi Chemicals, Industrial Area,

Ramanjaneyapuram, Kadapa

2.The Recovery Officer, Debt Recovery Tribunal No.1 Scindia

House 5th Floor, Opp. L & T House, Narottam Morarjee Marg,

Ballard Estate, Mumbai
3. The Presiding Officer, Labour Court, Anantapur
4. The Managing, Director M/s. Trans Asia Overseas Trading

Corporation, 11-4-658, Mustafa Towers, Lakadikapool, Hyderabad,

5.2CCs to G.P. for Labour, High Court Buildings, Hyderabad (OUT)

6.2CD copies

*Form-NIC-OGS/WP{**TRT**}*